

## REMARKS

This is to acknowledge the allowance of Claim 7, as specified in paragraph 6 of the above-identified Office Action, and to note that minor changes have been made in allowed Claim 7 by means of the foregoing Amendment, merely in an attempt to improve the form thereof.

Claim 1 has also been revised by means of the foregoing Amendment with regard to minor matters of form, and to specify that the control unit for converting second image data obtains that data from either (i) an object different from that of the first image data, or (ii) at a timing different from that of the first image data. Also, the two different image data files are stored in different areas as discussed, for example, in the Specification at page 9, lines 5-14. Applicant respectfully submits that Claim 1 as now presented is patentably distinct over the cited McGarvey and Nakamura references as a result of the above characterized requirements now set forth in that claim because those requirements are not disclosed in either of the McGarvey or Nakamura patents.

More particularly, the McGarvey patent discloses in Figs. 1 and 2 thereof a digital camera arranged to store a WB setting into a memory (see par. 25-28). However, the WB setting to be stored is generated from the same image data which is picked-up and stored. The cited Nakamura patent discloses, in Fig. 19, , the storage of WB data into an image file 210. However, this WB data is also generated from image data of an image to be stored. That is, each reference discloses the generation of image data and WB data from the same image pickup signal. Accordingly, those references fail to disclose Applicant's

claimed invention wherein different first image data and second image data are stored in different areas, and wherein the control unit operates as recited in the amended independent Claim 1.

For all of these various reasons, it is respectfully submitted that all of Claims 1-7 are allowable, and a formal Notice of Allowance is solicited.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



---

Attorney for Applicant

John A. Krause

Registration No. 24,613

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

NY\_MAIN 474633v1